

Remarks

Reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-30 remain pending in the application, with Claims 1, 23, 24, 28 and 30 being independent. Claims 1-4, 7, 8, 10-15, 17, 18, 20, 22-24 and 27-30 have been amended herein.

The Abstract was objected to for a minor informality. In response, all occurrences of the term “means” have been revised. Favorable consideration is requested.

The drawings were objected to for including foreign language notations. In response, ~~Figs. 3, 10 and 11 are proposed to be amended in the accompanying Request for~~ Approval to Amend the Drawings to change the foreign language notations to English notations. Favorable consideration is requested.

The drawings were also objected to for allegedly not showing every feature of the claimed invention. In particular, the Examiner suggested that the “print buffer ... arranged symmetrically” must be shown or such features be cancelled from the claims. It is respectfully submitted that the claims do not recite that the print buffer is symmetrically arranged, but rather that the printing elements are symmetrically arranged. Claims 4 and 24 have been amended to clarify this point. No changes to the drawings are believed to be necessary. Reconsideration and withdrawal of this objection to the drawings are also requested.

Claims 20 and 22 were objected to for minor informalities. These claims have been amended in the manner suggested by the Examiner. Favorable consideration is requested.

Claims 1-29 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Without conceding the propriety of this rejection, Applicants have reworded the language questioned by the Examiner. Reconsideration and withdrawal of the § 112, second paragraph, rejection are requested.

Since independent Claim 24 and its dependent Claims 25-27 have not otherwise been rejected, these claims are believed to be in condition for allowance.

Claims 1-3, 8-19, 22, 23 and 28-30 were rejected under 35 U.S.C. § 102 as being anticipated by European Patent Application No. 0 955 174 (Quintana). This rejection is respectfully traversed.

With the present invention, in the case of secondary color recording by cyan and magenta colors, for example, the order of application can be changed between cyan-then-magenta and magenta-then-cyan.

Quintana relates to bidirectional color printing. In the conventional bidirectional four pass color printing method of Fig. 4, during each pass in one direction all colors (KCMY) may be ejected and in the opposite direction, only the secondary colors (CMY) may be ejected. In the first direction, the ink is applied in the order of YMCK and in the opposite direction the ink is ejected in the order of CMY. Four passes of color printing are achieved for each line.

However, Applicants submit that Quintana does not disclose or suggest representing primary or secondary colors for each pixel area or representing a process color for each pixel area. Nor does Quintana disclose or suggest changing the ejection amount in accordance with multi-level data.

Quintana fails to disclose or suggest control means for effecting recording by application of ink for each pixel area as a unit, with the pixel area representing a primary or secondary color, and the control means being effective to control a number of ink droplets of each color applied to each pixel area and an amount of ink applied by a unit application of the ink, as is recited in independent Claim 1. Nor does Quintana disclose or suggest forming the secondary color while making the order of applications of the inks to ~~at least one of a plurality of the secondary color pixel areas~~ arranged along a predetermined direction different from the order of another, as is also recited in independent Claim 1.

Quintana is also not believed to disclose or suggest control means for effecting recording by application of the ink for each pixel area, with the control means applying different color inks to a pixel area representing a process color and controlling an amount of the ink applied by a unit application in accordance with a multi-level data corresponding to the pixel area, or forming the process color by making an order of applications of the inks to at least one of the process color pixel areas arranged in a raster direction different from the order of another, as is recited in independent Claim 23.

As to independent Claim 28, Quintana does not disclose or suggest that recording is effected by application of ink for each pixel area as a unit, with the pixel area representing a primary or secondary color, and a number of ink droplets of each color

applied to each pixel area and an amount of ink applied by a unit application of the ink being controlled in accordance with multi-level data, or application of different color inks to form a secondary color in a secondary color pixel area in an order of applications which is different from the order in a first application step.

Further, Quintana does not disclose or suggest a print having a plurality of secondary color pixel areas arranged in a predetermined direction on a printing material, with the plurality of pixel areas being printed by different color inks at least at one amount, and with an order of applications of the inks to at least one of the pixel areas being different from the order of another, as is recited in independent Claim 30.

Thus, Quintana fails to disclose or suggest important features of the present invention recited in independent Claims 1, 23, 28 and 30.

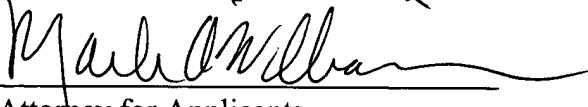
Therefore, independent Claims 1, 23, 28 and 30 are also patentable over the citations of record. Reconsideration and withdrawal of the § 102 rejection are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claims 1, 23, 24, 28 and 30. Dependent Claims 2-22, 25-27 and 29 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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Amendments in a Revised Format Now Permitted

Office of Patent Legal Administration << Pre-OG Notices << << Amendments in a Revised Format Now Permitted

The United States Patent and Trademark Office (USPTO or Office) is permitting applicants to submit amendments in a revised format as set forth herein. The revised amendment format is essentially the same as the amendment format that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. The Office plans to adopt such a revision to 37 CFR 1.121 by July of 2003, at which point compliance with revised 37 CFR 1.121 will be mandatory.

The revised amendment format is an expansion of the special amendment process instituted for a prototype Electronic File Wrapper program described in USPTO ANNOUNCES PROTOTYPE OF IMAGE PROCESSING, 1265 Off. Gaz. Pat. Office 87 (Dec. 17, 2002) ("Prototype Announcement"). The special amendment process (which was limited to claims) has proven overwhelmingly acceptable to applicants participating in the prototype and beneficial to examiners. The revised amendment format provides for amendments to be made to the specification and the drawings in addition to the claims.

Effective immediately, all applicants, including applicants participating in the prototype, may submit amendments using the revised amendment format set forth herein. Applicants may wish to submit all amendments in the revised amendment format because: (1) it will facilitate transition to a revised amendment format when it becomes mandatory, (2) inconsistent versions of claim amendments (clean and marked-up) will be avoided, and (3) time and resources will be saved.

WAIVER of 37 CFR 1.121

The provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments to the **claims, specification, and drawings** in all applications in all Technology Centers where the amendments comply with the revised amendment format detailed below. Note: The revised amendment format (and the waiver) does **not** apply to 37 CFR 1.121(h) and (i) which indicate that amendments to reissue applications and reexamination proceedings are governed by 37 CFR 1.173 for reissue applications and 37 CFR 1.530 (d)-(k) for *ex parte* and *inter partes* reexaminations.

In addition, the WAIVER indicated in the above mentioned Prototype Announcement for the limited (claims only) amendment process of that prototype is also expressly continued and amendments in applications (other than reissue applications) in all Technology Centers that comply with the requirements in that announcement will be acceptable.

REVISED AMENDMENT FORMAT

I. Begin Sections on Separate Sheets:

Each section of an amendment paper (e.g., Amendments to the Specification, Amendments to the Claims, Remarks) shall begin on a separate sheet to facilitate separate indexing and electronic scanning of the document.

For example, each of the following four sections of an amendment paper must start on a separate sheet:

- a.) Introductory Comments

- b.) Amendments to the Specification
- c.) Amendments to the Claims
- d.) Remarks

II. Submit Only One Version (with markings) of an Amended Part:

The requirement to provide two versions of a replacement paragraph, section, or claim (a clean version and a marked up version), as set forth in current 37 CFR 1.121, is waived where the format set forth below is followed.

III. Amendments to the Claims

A. A Complete Listing of Claims is Always Required:

If an amendment adds, changes or deletes any claim, a detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remains under examination in the application, must be presented, and the amendment to the claims is expressed in the listing. The listing shall be presented as follows:

1. Ascending Order and Status Identifier Required

The listing shall be provided in sequential ascending numerical order (beginning with claim 1). A status identifier shall be provided for every claim in a parenthetical expression following the claim number (e.g., "Claim 1. (original)"). A list of acceptable status identifiers is set forth in part B, below. The text of **all** claims under examination shall be submitted each time any claim is amended. Cancelled and withdrawn claims should be indicated by only the claim number and status. The text of cancelled or withdrawn claims should not be presented.

2. Markings in Currently Amended Claims Required

All claims *being currently amended* shall be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The changes in any amended claim should be shown by strikethrough (for deleted matter) or underlining (for added matter). No separate "clean" version should be submitted for currently amended claims, as this requirement has been eliminated. **Markings should only be made in claims being currently amended in an amendment paper.**

3. Only Clean Text Required for Other Claims Under Examination.

The text of pending claims *not being currently amended* that are under examination shall be presented in a clean version in the listing. Any claim presented in clean version constitutes an assertion that it has not been changed relative to the immediate prior version.

4. Status to Effect Claim Cancellation or Addition.

A claim may be cancelled by merely indicating the status of the claim as cancelled. Any new claim added by amendment must be indicated by the appropriate status identifier and shall not be underlined. Thus, added new claims of status (new), (reinstated - formerly claim #_) and (re-presented - formerly dependent claim #_) must be presented in clean version. Additional claims may be subject to additional fees, as appropriate.

5. When Grouping of Claims is Permitted.

Consecutive cancelled or withdrawn claims may be aggregated into one line of the listing (e.g. Claims 1 - 5 (cancelled)).

6. Use "Currently Amended" Status Where Applicable.

If any "previously reinstated" or "previously re-presented" claim is being amended, the status shall be indicated as "currently amended" with markings as indicated in paragraph A2, above. Multiple status identifiers should not be used for any single claim.

B. Status Identifiers that May be Used:

In order to promote uniformity and consistency, only the following eleven (11) defined status identifiers should be used to indicate the status of the claims (in parentheses after the claim number):

- | | |
|--|---|
| 1. (Original): | Claim filed with the application following the specification (i.e., not added by preliminary amendment). |
| 2. (Currently amended): | Claim being amended in the current amendment paper. |
| 3. (Previously amended): | Claim not being currently amended, but which was amended in a previous amendment paper. |
| 4. (Cancelled): | Claim cancelled or deleted from the application. |
| 5. (Withdrawn): | Claim still in the application, but in a non-elected status. |
| 6. (Previously added): | Claim added in an earlier amendment paper. |
| 7. (New): | Claim being added in the current amendment paper. |
| 8. (Reinstated - formerly claim # _): | Claim deleted in an earlier amendment paper, but re-presented with a new claim number in current amendment. |
| 9. (Previously reinstated): | Claim deleted in an earlier amendment and reinstated in an earlier amendment paper. |
| 10. (Re-presented - formerly dependent claim # _): | Dependent claim re-presented in independent form in current amendment paper. |
| 11. (Previously re-presented): | Dependent claim re-presented in independent form in an earlier amendment, but not currently amended. |

C. Example of Listing of Claims:

Claims 1-5 (cancelled)
Claim 6 (withdrawn)
Claim 7 (previously amended): A bucket with a handle.
Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.
Claim 9 (withdrawn)
Claim 10 (original): A bucket with a wooden handle.
Claim 11 (cancelled)

Claim 12 (new): A bucket with plastic sides and bottom.

Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (re-presented - formerly claim 11): A black bucket with a wooden handle.

IV. Amendments to the Specification

Amendments to the specification are to be made by presenting replacement paragraphs, sections or a substitute specification marked up to show changes made relative to the immediate prior version, as set out in 37 CFR 1.121(b). The changes should be shown by strikethrough (for deleted matter) or underlining (for added matter). No accompanying "clean" version shall be supplied. The amendments to the specification shall be presented only one time, and will not appear in successive amendment documents.

V. Amendments to the Drawings

Amendments to the drawing figures shall be made by presenting replacement figures which include the desired changes, without markings, and which comply with § 1.84. The changes shall be explained in the accompanying remarks section of the amendment paper. If the amended drawings are not approved, the applicant will be notified in the next Office action. Any amended drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure number in the amended drawing should not be labeled as "amended."

For further information on the prototype image electronic processing of patent applications, please contact the Search and Information Resources Administration at: image.processing@uspto.gov. Any questions regarding the submission of amendments pursuant to the revised practice set forth in this notice should be directed to Elizabeth Dougherty (Elizabeth.Dougherty@uspto.gov), Gena Jones (Eugenia.Jones@uspto.gov) or Joe Narcavage (Joseph.Narcavage@uspto.gov). For information on the waiver or legal aspects of the program, please contact Jay Lucas (Jay.Lucas@uspto.gov) or Rob Clarke (Robert.Clarke@uspto.gov).

Date: 1/31/03

Signed: /s/

STEVEN KUNIN

Deputy Commissioner for Patent
Examination Policy

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